



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

### California State Office

2800 Cottage Way, Suite W-1834

Sacramento, California 95825

[www.ca.blm.gov](http://www.ca.blm.gov)



July 30, 2007

*In Reply Refer To:*  
6840 (CA930)P

EMS TRANSMISSION: 7/30/07  
Information Bulletin No. **CA-2007-021**

**To:** Field Manager, Bishop

**From:** State Director

**Subject:** Proposed Rule to Designate Critical Habitat for the Sierra Nevada Bighorn Sheep  
(*Ovis canadensis californiana*) **DD: 09/05/07**

On July 25, 2007, the Fish and Wildlife Service (Service) published a proposed rule (*Federal Register* 72:40955-41008) to designate critical habitat for the Sierra Nevada bighorn sheep. (See Attachment 1.) The Service also proposes a taxonomic revision of the listed entity from distinct population segment to subspecies (*Ovis canadensis sierrae*), based on recent published information. The proposed rule identifies 12 proposed critical habitat units. Four of these (Unit 1, Mount Warren; Unit 4, Wheeler Ridge; Unit 10, Mount Langley; and Unit 12, Olancha Peak), include some BLM administered land.

The proposed rule solicits information on several topics, including: (a) the reasons why any areas should or should not be designated as critical habitat, (b) specific information on the amount and distribution of Sierra Nevada bighorn sheep habitat and the habitat features essential for the conservation of this species, (c) land use designations and current or planned activities in the subject areas and their possible impacts on proposed critical habitat, and (d) any proposed critical habitat areas covered by existing or proposed conservation or management plans that should be considered for exclusion under section 4(b)(2) of the Endangered Species Act.<sup>1</sup>

Please review the proposed rule, and associated maps, and advise CA-930 (Attn: Ed Lorentzen) if you have comments or suggestions regarding the proposed critical habitat boundaries, or any other aspects of the proposed rule. The deadline for submitting comments to the Service is September 10, 2007. Please provide us with your comments, if any, in electronic format by the close of business September 5, 2007.

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<sup>1</sup> Section 4(b) of the ESA requires the Service to designate critical habitat, and make revisions thereto, on the basis of the best scientific data available and after taking into consideration the economic impact, and any other relevant impact, of specifying any particular area as critical habitat. **The Service may exclude any area from critical habitat if it determines that the benefits of such exclusion outweigh the benefits of specifying such area as part of the critical habitat**, unless it determines, based on the best scientific and commercial data available, that the failure to designate such area as critical habitat will result in the extinction of the species concerned.

Now that critical habitat has been proposed for this species, the conference requirements of Section 7(a)(4) of the Endangered Species Act and its implementing regulations at 50 CFR 402.10 are applicable to any BLM actions likely to cause the destruction or adverse modification of proposed critical habitat. Additionally, the guidance in Manual Section 6840.06B1 calls for BLM to confer with the Service "... on any action that is likely to adversely affect a proposed species or proposed critical habitat." Any outstanding requests for formal consultation with the Service (e.g. Bishop RMP) should be updated to include conference on proposed Sierra Nevada bighorn sheep, if appropriate.

Questions regarding this proposed rule may be directed to Ed Lorentzen at (916) 978-4646.

Signed by:  
James Wesley Abbott  
Associate State Director

Authenticated by:  
Richard A. Erickson  
Records Management

Attachment

- 1 - Proposed rule to designate critical habitat for the Sierra Nevada bighorn sheep (52 pp.)

Distribution

WO-230 (Attn: Steve Lydick)  
CA-170 (Attn: Terry Russi)  
CA-170 (Attn: Steve Nelson)  
CA-170 (Attn: Joy Fatooh)